



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
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MidFirst Bank

Order Filed on August 13, 2016
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
Charlie Kearse & Dorothy Kearse,
Debtors.

Case No.: 15-16865

Adv. No.:

Hearing Date: 6/28/2016 @ 9:00 a.m.

Judge:

ORDER REINSTATING STAY AND CURING POST-PETITION ARREARS

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: August 13, 2016

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Charlie Kearse & Dorothy Kearse

Case No: 15-16865-KCF

Caption of Order: ORDER REINSTATING STAY AND CURING ARREARS

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, MidFirst Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 76 Runyon Avenue, Somerset, NJ 08873, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and, Alan G. Cosner, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 10, 2016, Debtors are in arrears outside of the Chapter 13 plan to Secured Creditor for payments due May 2016 through August 2016 (3 @ \$1,485.67, 1 @ \$1861.98; late charges 3 @ 59.42, 1 @ 74.47) for a total post-petition default of \$6,571.72;

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$6,571.72 will be paid over 7 months by Debtors remitting six payments of \$1,000.00 and one payment of \$571.72, in addition to the regular monthly mortgage payment, the sum of \$1,000.00, which additional payments shall begin on September 1, 2016 and continue until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume September 1, 2016, directly to Secured Creditor, MidFirst Bank, 999 North West Grand Boulevard, Oklahoma City, OK 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond and that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that automatic stay as to the subject property is hereby reinstated.